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## **PRESS RELEASE**

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**FOR IMMEDIATE RELEASE  
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### **INMATE RECEIVES OVER 24 YEAR SENTENCE FOR PLOTING TO KILL FEDERAL JUDGE**

**PHOENIX, ARIZONA** –The United States Attorney's Office for the District of Arizona, announced that on November 20, 2003, Robert Wilson Stewart, DOB 4/24/39, of Mesa, Arizona, was sentenced to 292 months imprisonment (24 years and 4 months), by visiting United States District Judge Howard D. McKibben, in Phoenix, Arizona.

At the trial in this case held in June of 2003, the evidence established that Stewart, while an inmate at the Federal Correctional Institute located North of Phoenix, approached another inmate about having United States District Court Judge Roslyn O. Silver killed. Silver was the federal judge who had presided over his trial in 2000 in which he was charged with being a Felon in Possession of Firearms and Unlawful Possession of Machineguns. At trial, Judge Silver testified that Stewart, who represented himself in the 2000 trial, started out being polite, but that he became more and more frustrated as he was precluded from presenting his theory of the law. Stewart's defense had been that "the federal government had no authority over him." Judge Silver further testified that as the 2000 trial progressed, Stewart's courtroom demeanor changed from polite to angry to "smoldering rage."

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Once in prison, Stewart engaged in several conversations about plotting to kill Judge Silver, including one in which he was surreptitiously recorded. Testimony at trial included a description of how Stewart wanted Judge Silver's head severed and "hung from a pole" in order to make a public example of her. Stewart hoped and believed that the murder of this federal judge would spark a wave of killings of federal judges around the country. On the audiotape presented at trial, Stewart was heard giving a physical description of Judge Silver, as well as specific information about where she could be located and what kind of security to expect.

Robert Stewart was found guilty by a jury on June 17, 2003, of Retaliating Against a Federal Official, Making False Statements, and Solicitation to Commit a Crime of Violence.

At sentencing, Patrick Schneider, Criminal Chief for the United States Attorney's Office told District Court Judge McKibben that **"the sentence in this case should send a message to this defendant and others who would seek to use threats or violence to subvert the justice system that justice will not be deterred!"**

The investigation in this case was conducted by the Federal Correctional Institute (Phoenix) and the Federal Bureau of Investigation with assistance from the Arizona Department of Public Safety.

The prosecution was handled by Soo C. Song and Patrick J. Schneider, Assistant United States Attorneys, District of Arizona, Phoenix, Arizona.

CASE NUMBER: CR-03-0061-PHX-HDM  
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